

## OGC HAS REVIEWED.

22 May 1956

16

### MEMORANDUM FOR THE RECORD

SUBJECT: Travel Expenses - Killian Committee

1. The Committee was established by Executive Order 10656 and provided that the members (Section 1) "shall serve without compensation, but may receive transportation and per diem allowances as authorized by law for persons serving without compensation" and further (Section 5) that "The transportation and per diem allowances referred to in section 1 of this order and any other expenditures arising in connection with the activity of the President's Board shall be paid from the appropriation appearing under the heading 'Special Projects' in Title I of the General Government Matters Appropriation Act, 1956 (P.L. 110, approved June 29, 1955), without regard to the provisions of Section 3681 of the Revised Statutes and section 9 of the Act of March 4, 1909, 35 Stat, 1027 (31 USC 672 and 673)."

2. Title I of the General Government Matters Appropriation Act of 1956 provides in pertinent part under "Special Projects" that: "For expenses necessary to provide staff assistance for the President in connection with special projects, to be expended in his discretion and without regard to such provisions of law regarding the expenditure of Government funds or the compensation and employment of persons in the Government service as he may specify . . ."

3. From the above it appears that the only limitation removed in the Executive Order applies to 31 U.S.C., Sections 672 and 673 which prohibit the payment of expenses of commissions and inquiries and the use of public monies or appropriations for the compensation or expenses of commissions where such bodies are not properly authorized by law. Otherwise, the standard limitations on the payment of per diem found under Title V, U.S.C., Section 73b-2 would apply. Under this the per diem rate for persons serving without compensation is limited to \$15 a day or, on an actual expense basis, to a maximum of \$25 a day within the continental United States. Beyond the continental limits it shall not exceed rates established by the Director of the Bureau of the Budget under Title V, Section 836.

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Assistant General Counsel